

### **REMARKS**

The Office Action mailed August 4, 2004 has been carefully reviewed and, in view of the above amendments and following remarks, reconsideration and allowance of the application are respectfully requested.

#### **I. Summary of Claims**

Claims 1-6, 8-12, and 14-21 are currently pending in the application, with claims 1, 9, and 15 being independent claims. Claims 7 and 13 were cancelled in a prior amendment. Independent claims 1, 9, and 15 are amended, in accordance with the above amendments.

The following claim rejections were submitted by the Examiner in the outstanding Office Action:

- Claims 1, 4, 5, 9-11, 15, 18, and 19 were rejected under 35 U.S.C. §103 as being obvious over a combination of Japanese Patent Number 11-265282 to Ichinose and U.S. Patent Number 5,651,132 to Honda, et al.;
- Claims 2 and 16 were rejected under 35 U.S.C. §103 as being obvious over a combination of the Japanese Patent and U.S. Patent Number 5,657,301 to Yoshikawa, et al.;
- Claims 3 and 17 were rejected under 35 U.S.C. §103 as being obvious over a combination of the Japanese Patent and U.S. Patent Number 5,581,485 to Richmond;
- Claims 6, 12, and 20 were rejected under 35 U.S.C. §103 as being obvious over a combination of the Japanese Patent and U.S. Patent Number 5,603,056 to Totani; and
- Claims 8, 14, and 21 were rejected under 35 U.S.C. §103 as being obvious over a combination of the Japanese Patent and U.S. Patent Number 5,307,346 to Fieldhouse.

In addition, the Examiner objected to the specification for minor informalities, which are corrected by virtue of the above amendments to the specification

#### **II. The Claims Patentably Distinguish Over The Applied Prior Art**

The Japanese Patent discloses a controller for an automatic vending machine that exhibits the capacity to rewrite a control program. According to the rejection, the Japanese Patent does not disclose the concept of a host computer sending a new control program and new data

mapping information to the vending machine. Honda discloses a computer system having a host computer and an array. The host computer sends data or programs to the array, and the same host computer utilizes the data or executes the programs. That is, the array serves as a storage disk for the data or programs, and the host computer accesses the array to utilize the data or execute the programs.

The rejection states that independent claim 1 is obvious over a combination of the Japanese Patent and Honda. Independent claim 1 recites a configuration wherein a host computer sends a new control program and new data mapping information to the vending machine, and a controller associated with the vending machine executes the new control program. In other words, a first computing device sends the new control program and new data mapping information to the vending machine, and a second computing device executes the new control program. The system recited in independent claim 1 utilizes, therefore, two separate computing devices: the host computer (separate from the vending machine) sends the new control program and new data mapping information to the vending machine, and the controller (a portion of the vending machine) executes the new control program.

Neither the Japanese Patent nor Honda disclose the concept of two computing devices operating in tandem to send a new control program and new data mapping information and also execute the new control program. As discussed above, the Japanese Patent discloses a controller (i.e., a computing device) that rewrites a control program. Furthermore, Honda discloses a host computer (i.e., computing device) that sends data or programs to an array and also executes the programs in the array. These reference do not teach or suggest, therefore, a configuration where a host computer sends a new control program and new data mapping information to the vending machine, and a controller associated with the vending machine executes the new control program, as recited in independent claim 1.

A further significant difference between the system recited in independent claim 1 and both the Japanese Patent and Honda relates to the data mapping information. In Honda, the host computer sends data, programs, and mapping information to the array, and the host computer utilizes the mapping information for finding the data or programs stored in the array. More particularly, Honda states that "the host computer 1...executes mapping for finding where the respective data have been stored in the [array]..." (Honda, column 9, lines 8-15). Independent

claim 1, however, recites that the host computer sends the new control program and new data mapping information to the vending machine, and "a data remapping portion [remaps] data used by said current one of the control program based on said current and new data mapping information so that said data can be used by said new one of the control program." Neither the Japanese Patent nor Honda disclose, therefore, the concept of a first computing device sending mapping information and a program, and a second computing device that utilizes the mapping information to execute the program.

Based upon the above discussion, the Applicant respectfully submits that independent claim 1 is patentably distinguished from the combination of the Japanese Patent and Honda. In addition, the Applicant submits that dependent claims 4 and 5 are allowable for at least the same reasons. Furthermore, claims 2, 3, 6, and 8 should be allowable for at least the same reasons as Yoshikawa, Richmond, Totani, and Fieldhouse do not remedy the deficiencies discussed above.

Independent claim 9 recites that "said arithmetic and logic unit executes said new one of the control program," and independent claim 15 recites that "said control device including a controller for executing said new control program." Accordingly, each of independent claims 9 and 15 should be allowable over the combination of the Japanese Patent and Honda for the same reasons that are discussed above. In addition, dependent claims 10-12, 14, and 16-21 should also be allowable as Yoshikawa, Richmond, Totani, and Fieldhouse do not remedy the deficiencies discussed above.

### III. Conclusion

In view of the foregoing, the Applicant respectfully submits that all claims are in a condition for allowance. The Applicant respectfully requests, therefore, that the rejections be withdrawn and that this application now be allowed.

This Amendment is being timely filed by facsimile transmission on October 1, 2004. Should additional fees or an extension of time be deemed necessary for consideration of this Amendment, such fees or extension are hereby requested and the Commissioner is authorized to charge deposit account number 19-0733 for the payment of the requisite fee. If anything further is desirable to place the application in even better form for allowance, the Examiner is respectfully requested to telephone the undersigned representative at (503) 425-6800.

Respectfully submitted,

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Dated: October 1, 2004